

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.5793 of 2017 & W.M.P. No.6197 of 2017

Mr.Desu Reddiar

... Petitioner

Vs.

1. The Project Director
Tamil Nadu Road Sector Project II
171, South Kesava Perumalpuram,
TNMB Complex, Greenways Road,
Raja Annamalaipuram, Chennai-28
 2. The Executive Engineer
Tamil Nadu Road Sector Project II
Highways Office-Vridhachalam,
Cuddalore District
 3. The District Collector,
Villupuram
 4. The Kunnathur Village Panchayat
Represented by its President
Kunnathur Village, Thirukiovlur Taluk,
Villupuram District
- ... Respondents

Writ of Mandamus direct the respondents 1 and 2 to construct the bus shelter at 60+200 on the Cuddalore to Chittoor State Highway as per the scheme under the Tamil Nadu Road Sector Project-II.

For Petitioner : Mr.V. Raghavachari

For Respondents : Mr.S.Pattabiraman, GA

ORDER

By consent, the writ petition is taken up for final disposal. Mr.S.Pattabiraman, learned Government Advocate accepts notice on behalf of the respondents 1 to 4.

2 The petitioner by invoking the provisions of the Right to Information Act, 2005, sought information from the Divisional Engineer (Highways), Tamilnadu Road Sector Project II, Virudhachalam, as to the location of the bus stop at Kunnathur Village, Thirukovilur Taluk, Villupuram District and vide communication dated 08.07.2016 the petitioner was informed with regard to question No.7, that it will be located in CH 59+895 on the right side and left side in CH 60+200.

3 The petitioner once again sought further information from the very same official and the Public Information Officer and the Divisional Engineer (Highways), Tamilnadu Road Sector Project II, Virudhachalam, by communication dated 23.01.2017, in Letter No.04/2017/tm has informed the petitioner that the bus stop will be located at CH 59+895 in Survey No.87 belongs to the Government as well as in CH 59+976 in Survey No.99 which belongs to the Highways Department. The grievance expressed by the petitioner is that the very same official, in the earlier communication dated 08.07.2016, has informed that the bus stop is going to be located in CH 60+200 on the left side and whereas in the letter dated 23.01.2017, he stated that it is going to be located in CH 59+976 in S.No.99, which belongs to the Highways Department. In the event of location of bus stop, the residents of the said village, may find it difficult to use the bus stop as it is very far away.

4 The Learned counsel for the petitioner on instructions, would submit that the petitioner in this regard, may be permitted to submit a representation to the Divisional Engineer [Highways] of the Tamilnadu Road Sector Project II, Virudhachalam within a stipulated time and the said official, on receipt of the said representation, may be directed to consider the same in accordance with law and pass orders at an early date.

5 The Court heard the submissions of Mr.S.Pattabiraman, learned Government Advocate appearing for the respondents and perused the materials placed before it.

6 Though the petitioner has prayed for a larger relief, this Court, in the light of the above submissions of the made by the learned counsel for the petitioner, on instructions, permits the petitioner to submit a representation to the Divisional Engineer [Highways], Tamil Nadu Road Sector, Project-II, Virudhachalam-606001 as to the location of bus stop in CH 59+976 in S.No.99 belonging to the Highways Department within a period of two weeks from the date of receipt of a copy of this order and the said official, on receipt of the same,

shall put the concerned person/s on notice and thereafter, give disposal in accordance with law within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as to the person/s concerned.

7 The writ petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sk/AP

To

1. The Project Director
Tamil Nadu Road Sector Project II
171, South Kesava Perumalpuram,
TNMB Complx, Greenways Road,
Raja Annamalaipuram, Chennai-28
2. The Executive Engineer
Tamil Nadu Road Sector Project II
Highways Office-Vridhachalam,
Cuddalore District
3. The District Collector,
Villupuram
4. The Kunnathur Village Panchayat
Represented by its President
Kunnathur Village, Thirukiovvlur Taluk,
Villupuram District

+1cc to Mr.V.Raghavachari, Advocate Sr.15193
+1cc to Mr.S.Pattabiraman, Advocate Sr.15462
+1cc to the Government Pleader Sr.15293

W.P.No.5793 of 2017

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